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SUBJECT: New Environment Law Creates Incentive Fund, Ranger Force

¶1. Summary: The Ministry of Environment has a new basic law, a new enforcement corps of environmental rangers, a new "Environmental Fund" to provide economic incentives for environmental protection, and has been fundamentally reorganized. QIZs are a priority area for enforcement. End summary.

¶2. In his September 18 meeting with DAUSTR Jennifer Prescott and EPA Trade and Environment official Tiffany Prather, Minister of Environment Khaled Irani noted two important aspects of Jordan's environmental protection: the GOJ's highly unusual delegation of protected area management to an NGO (the Royal Society for the Conservation of Nature) and the resultant marriage of conservation and socio-economic development. Irani was pleased with the recent passage by Parliament of a permanent environment law that created a fund for environmental protection and a ranger corps for environmental enforcement. Irani also reviewed important steps in his ministry's development, including recent capacity building efforts, merit-based personnel system, and process-based management by objectives. He said that management of the Ministry of Environment could be a model for the rest of the GOJ.

Enforcement and the Power of Positive Incentives

¶3. On his environmental protection mandate, Irani noted the importance of enforcement, including coordinating with the Ministry of Agriculture and the Ministry of Industry and Trade. He said that the laws of Jordan are of the command-and-control variety, and lack positive incentives. The newly created environmental fund, he said, is an important step in creating an incentive-based system for environmental protection. Another new incentive was the creation of a King Abdullah Prize for Environmental Protection. Details of the prize are still being worked out.

¶4. Irani said the fund is a new tool for Jordan, and that it should provide incentives such as grants and soft loans for proper environmental planning and protection. Irani is very interested in seeing that the fund maintain itself financially. He suggested that environmental fines, license fees, grants, private sector contributions and perhaps an endowment would go into the fund.

More Emphasis Now on Environmental Planning

¶5. Irani said when the U.S.-linked Qualifying Industrial Zones (QIZs) were formed, environment wasn't adequately taken into consideration and that the GOJ was not sufficiently prepared to manage industrial wastewater from the QIZs. Now, he said, a Cabinet

decision has made it impossible for new QIZs to be created until their environmental management is fully taken into consideration.

¶16. Prescott supported the GOJ's emphasis on enforcement and on the QIZs. A USAID FSN suggested a program to strengthen and publicize environmental protection in selected QIZs. One possible component of this program would be to use the QIZs as a case study, among several others, during the proposed February 2007 EPA regional training course on environmental inspections. Particular emphasis would be placed on industrial wastewater treatment issues that are applicable to all MEPI countries. Another suggestion was to promote regional cooperation, perhaps with Morocco, on all environmental issues related to the garment sector.

¶17. Irani and Prescott discussed the importance of promoting support for environmental protection in both countries' legislatures. They agreed that exchange visits or meetings between Congressmen and Parliamentarians, perhaps drawn from the Health and Environment committee, on environmental issues would be very productive.

Outline of Environmental Laws and Bylaws

¶18. In a separate meeting at DAUSTR Prescott's request, Enforcement Director Adnan Zawahreh described Jordan's environmental law. Zawahreh outlined the development of the Environment Ministry. It started as a bureau within the Health Ministry, became the "General Corporation for Environmental Protection" (GCEP) in 1995, and eventually blossomed into a full ministry in 2003. Jordan's first environmental law was passed in 1995, and was based on other environmental protection laws from around the world. When GCEP turned into the Ministry of Environment in 2003, the Cabinet passed a temporary law that took the original 1995 environmental law and made it applicable to a ministry. The Ministry of Environment has been operating under this temporary law since 2003. The new environmental law passed in September 2006 did not, except as noted below, substantially change the temporary law; it simply gives it permanent status. However, Parliament added articles to create the environmental rangers and an environmental fund. A draft investment law contains provisions for tax breaks for environmental projects, Zawahreh noted.

¶19. The environmental law is a framework, Zawahreh explained. Detailed bylaws and Ministry-drafted directives are two other levels of regulation. Jordan has bylaws on Environment Impact Assessments (EIAs), air pollution, natural reserves and parks, emergency situations, soil protection, solid waste management and hazardous waste management. New bylaws are being developed by the Legislation Bureau of the Prime Ministry for auditing, for inspection and for the rangers. The basic direction for all environmental laws is developed through a multi-stakeholder committee organized and chaired by the Ministry of Environment. The policy directions developed through that process are then converted into legal vehicles by the Legislation Bureau at the Prime Ministry.

Governance Structure for Rangers

¶10. Prompted by Prescott for further details on the role of the environmental rangers in enforcement, Zawahreh said that there is a steering committee headed by the Ministry of Environment that will create and define their role. Administratively, he said, the rangers are a unit of the Interior Ministry's Public Security Directorate (PSD), but the steering committee will control the policy. Note: The steering committee includes the Ministry of Environment, the Ministry of Agriculture, the Public Security Directorate, the Royal Society for the Conservation of Nature, the Ministry of Health, the Ministry of Water and Irrigation, the Ministry of Municipalities, and Greater Amman Municipality. End note. For example, he said, on inspections, the Ministry's Inspections Directorate will provide policy and training to the rangers, and the rangers will do the actual field work.

New Focus on Inspection, Enforcement

¶11. Zawahreh praised his recent USG-supported trip to Massachusetts, New York and EPA's Denver regional office to look at environmental enforcement. He will form a committee of his colleagues to review manuals and other documents that EPA provided, which he later called "solid gold." Zawahreh asked for EPA support for both basic and advanced enforcement training for Jordan's environmental rangers, perhaps through EPA's National Enforcement Training Institute (NETI). "On-the-job training" in pollution prevention for environmental inspectors would be helpful, he added. Prather noted that EPA's February 2007 regional inspectors training course will address basic inspections issues, and suggested that additional time could be allocated for a "train the trainers" component.

¶12. Zawahreh and his colleagues noted the Ministry's recently completed institutional reorganization and strategic planning. The streamlined structure, he said, will promote enforcement, capacity building, policy development, cooperation with industry, and public outreach. Previously, he said, different directorates did their own enforcement. That function is now unified, he said. He also proudly described new merit-based personnel procedures for selecting and assigning staff within the Ministry.

Outreach Department Weak

¶13. On public participation and outreach, the Director of the Outreach Department in the Ministry of Environment said that her directorate is small but has a large mission, including coordination with donors, embassies, the private sector and NGOs. This is a function that cross-cuts many directorates at the Ministry. The outreach department will also maintain information resources, such as a library and a website. Prescott and Prather reviewed USG mechanisms on outreach, including the "Administrative Procedures Act" requiring publication of draft laws, public comment periods, public hearings, interagency coordination and testimony on Capitol Hill.

¶14. USTR and EPA cleared this message.
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